

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Favio T. Rodríguez Velázquez, Task Force Officer with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, hereinafter referred to as "ATF", being duly sworn, depose and state as follows:

I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510 (7), that is, an officer of the United States empowered by law to conduct investigations and make arrests upon violations of the offenses enumerated in Title 18, United States Code, Section 2516.

I am a Task Force Officer with the ATF in San Juan, Puerto Rico, and have been so for the past seven (7) years. Prior to becoming a Task Force Officer, I worked over twenty-two (22) years as an Internal Revenue Agent for the Puerto Rico Treasury Department (Departamento de Hacienda).

I am currently assigned to the ATF High Intensity Drug Trafficking Area (HIDTA) group. As part of the HIDTA Group, I conduct investigations of drug trafficking, firearms, and narcotics violations. I have specialized training and/or experience in the area of high-level drug enforcement, street-level drug enforcement, narcotics smuggling and distribution, gangs, undercover operations, surveillance and debriefing informants and suspects.

All reference herein to any experience refers to experience gained through training, conducting firearms and controlled substances investigations, and participating in those investigations with other experienced investigators, as well as conversations with other law enforcement officers.

I am personally familiar with the facts and circumstances surrounding this investigation and with the information contained in this Affidavit, either through personal participation investigation or through discussions with other law enforcement officers and other ATF TFO with personal knowledge of the facts. Since this affidavit is submitted only for the limited purpose of securing the warrant sought, I have not set forth every fact known to me concerning this

investigation. I have included what I believe are the facts sufficient to establish probable cause for the warrant sought.

Based on my training and experience and the facts set forth below in this affidavit, there is probable cause to believe [1] Jeramil PAGAN and [2] Edwin CRUZ SIERRA violated Title 18, United States Code, 18 U.S.C. § 924(c)(1)(A)(i), and Title 21 U.S.C. §§ 841(a)(1) & (b)(1)(C).

FACTS SUPPORTING PROBABLE CAUSE

On February 11, 2025, PRPB agents were going to execute a search warrant on Apartment 15 building A in the V&B Apartments in the municipality of Barceloneta, Puerto Rico. PRPB agents parked on the side of building A close to the pedestrian gate. When PRPB agents entered through the gate, they observed an individual (later identified as Jeramil PAGAN) located in front of an open trunk of a gray Nissan Altima bearing Puerto Rico license plate HDH-995. PAGAN was seen with a firearm in one hand and in the other hand a bag containing small baggies with white powder inside of apparent cocaine. (later field tested positive for cocaine and fentanyl).

Upon noticing the presence of law enforcement, PAGAN threw the firearm and the drugs inside the opened trunk, ran into building A, and entered inside apartment 19 which had the door open. A hot pursuit ensued and PRPB agents followed PAGAN and entered apartment 19 through the open door. Agents followed Pagan and entered apartment 19 and encountered Pagan. They also saw (an individual later identified as Edwin Cruz-Sierra) fixing a double drum magazine, and on top of the dining room table, agents observed a clear bag full of baggies containing white powder inside of apparent cocaine (later field tested positive for cocaine and fentanyl).

PRPB agents placed PAGAN and CRUZ SIERRA under arrest and read them their rights. PRPB agents observed in the living room area two black plastic rifle cases open.

PRPB agents also seized the following evidence from inside the apartment in plain view:

- Sixteen (16) clear blue small baggies with white powder inside (field tested positive for cocaine and fentanyl).

- Eight (8) clear yellow small baggies with white powder inside (field tested positive for cocaine).
- Two (2) black round containers containing green leafy substance (field tested positive for marijuana).
- One black iPhone
- One black iPhone with broken back plate
- One (1) black Vortex cellphone
- One (1) blue Vortex cellphone
- One (1) black Sky cellphone
- One (1) gold PCD cellphone
- One (1) black fanny pack
- One (1) blue notebook ledger
- Drug paraphernalia

PRPB Agents seized from inside the two open black rifle cases in the living room area:

- Ten (10) clear blue small baggies with white powder inside (field tested positive for cocaine and fentanyl).
- One (1) American tactical AR pistol, black, S/N: MSA119047, (multi-caliber).
- One (1) Century arms AK pistol, black and brown, 7.62x39 cal., S/N: USD000193.
- One (1) Glock pistol, pink, model 43, 9mm S/N: CACZ715 (loaded with 10 rounds of ammunition).
- One (1) Glock pistol, black, model 23, .40 cal. S/N: BWWN091 (loaded)
- One (1) Glock pistol, black, model 30, .45 cal. S/N: BYGP375 (loaded)
- Seven (7) magazines 9mm in total.
- Six (6) magazines .40 cal. in total.
- Four (4) magazines .45 cal. in total
- Four (4) rifle magazines 5.56 into total

- One (1) rifle magazine 7.62
- Eighty-eight (88) .45 cal. rounds of ammunition.
- Ninety (90) .40 cal. rounds of ammunition.
- One hundred and -six (106) 9MM rounds of ammunition.
- One hundred (100) 223 rounds of ammunition.
- One hundred-seventy-two (172) 7.62 of ammunition.

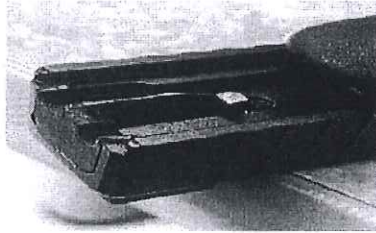
PRPB Agents seized from the open trunk of the gray Nissan Altima bearing Puerto Rico license plate HDH-995

- One (1) black Glock, model 19, 9mm S/N: BFZB442, loaded with an extended magazine.
- One (1) extended magazine.
- One fifteen rounds capacity magazine
- Eighty-eight (88) rounds of 9mm ammunition
- Thirty-three (33) clear blue small baggies with white powder inside (field tested positive for cocaine and fentanyl).
- Eight (8) clear pink small baggies with a black baggie inside containing white powder inside (field tested positive for cocaine and fentanyl).
- Fourteen (14) clear pink small baggies containing white powder inside (field tested positive for cocaine).
- Forty-three (43) clear small baggies containing green leafy substance (field tested positive for marijuana).

PRPB agents were approached by a female who is the registered owner of apartment. 19 and the registered owner of all the firearms seized inside apartment 19. Further investigation revealed that PRPB agents observed prior in surveillances Pagan, Cruz-Sierra and the female owner of apartment 19 together involved in apparent drug transactions.

ATF Agents examined the Glock pistol S/N: BFZB442 found in the trunk of the Nissan Altima and observed that it had an automatic conversion device installed on the slide, commonly known as a "chip". Based on my training, knowledge and experience with ATF, the chip on this

firearm was not installed by the manufacturer and was placed on the firearm with the sole purpose of illegally modifying it to fire fully automatic, meaning that it could expel more than one shot, without manual reloading, by a single function of the trigger. The chip can be readily observed by anyone who loads, unloads, charges, cleans, or disassembles the firearm because there is a high contrast between the chip and the slide of the firearm.



A dry field test preliminarily determined that the Glock pistol S/N: BFZB442 is capable of firing more than one round with a single function of the trigger, making it a machinegun.

Based on the above facts, I have probable cause to believe that Jeramil PAGAN and Edwin CRUZ SIERRA violated 18 U.S.C. § 924(c)(1)(A)(i) "Possession of firearms in Furtherance of a Drug Trafficking Crime" and 21 U.S.C. §§ 841(a)(1) & (b)(1)(C) "Possession with Intent to Distribute cocaine and marijuana"

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge this February 12, 2025.

Favio T. Rodríguez Velazquez
ATF Task Force Officer

Subscribed and sworn pursuant to FRCP 4.1 at 6:07^{PM} by telephone, this 12th day of February, 2025.

Hon. Marcos E. López
United States Magistrate Judge
District of Puerto Rico